

1 DAVID H. KRAMER, State Bar No. 168452
COLLEEN BAL, State Bar No. 167637
2 LISA A. DAVIS, State Bar No. 179854
BART E. VOLKMER, State Bar No. 223732
3 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
4 650 Page Mill Road
Palo Alto, CA 94304-1050
5 Telephone: (650) 493-9300
Facsimile: (650) 565-5100
6 DKramer@wsgr.com

7 JONATHAN M. JACOBSON, N.Y. State Bar No. 1350495
WILSON SONSINI GOODRICH & ROSATI
8 Professional Corporation
12 East 49th Street, 30th Floor
9 New York, NY 10017-8203
Telephone: (212) 999-5800
10 Facsimile: (212) 999-5899
JJacobson@wsgr.com

11 Attorneys for Defendant
12 Google Inc.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 KINDERSTART.COM, LLC, a California
18 limited liability company, on behalf of itself and
all others similarly situated,

19 Plaintiffs,

20 v.

21 GOOGLE INC., a Delaware corporation,

22 Defendant.
23
24
25

CASE NO.: C 06-2057 JF (RS)

**DECLARATION OF
BART E. VOLKMER IN SUPPORT
OF DEFENDANT GOOGLE'S
MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED
COMPLAINT**

Before: Hon. Jeremy Fogel
Date: October 27, 2006
Time: 9:00 a.m.
Courtroom: 3

1 I, Bart E. Volkmer, declare as follows:

2 1. I am an attorney duly licensed to practice before this Court, and an associate of
3 the law firm of Wilson, Sonsini, Goodrich & Rosati, counsel to defendant Google, Inc.
4 (“Google”). I am over the age of eighteen and competent to make this declaration. I make each
5 of the following statements based on my personal knowledge, and I could, if necessary, testify to
6 the truth of each of them.

7 2. Attached hereto as Exhibit A is a true and correct copy of a web page printed
8 from <http://www.google.com/support/toolbar/bin/answer.py?answer=15626> on September 22,
9 2006.

10 3. Attached hereto as Exhibit B is a true and correct copy of a web page printed from
11 <http://www.google.com/support/toolbar/bin/answer.py?answer=14292&topic=938>) on
12 September 22, 2006.

13
14 I declare under penalty of perjury under the laws of the United States that the foregoing is
15 true and correct to the best of my knowledge. Executed on September 22, 2006 at Palo Alto,
16 California.

17
18 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

19
20 By: /s/ Bart E. Volkmer
Bart E. Volkmer

21 Attorneys for Defendant
22 Google Inc.
23
24
25
26
27
28